

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA
Plaintiff

v.

Civil Action No.
02CV-12490 REK

ROBERT HAAG AND
KATHLEEN HAAG
Defendants

ROBERT HAAG, and
KATHLEEN HAAG,
Plaintiffs,

v.

Civil Action No.
04-12344-REK

INTERNAL REVENUE SERVICE, and
UNITED STATES OF AMERICA,
Defendants

ASSENTED TO MOTION TO CONTINUE HEARING

NOW COME the Consolidated Plaintiffs, Robert and Kathleen Haag (hereinafter the "Haags") and hereby respectfully request that this honorable Court continue the Hearing set for March 22, 2006 at 11:00 a.m. The Haags state the following reasons in support of their motion:

1. The United States assents to the filing of this Motion.
2. Concurrent with the filing of this Motion, and consistent with the Court's Order entered on March 6, 2006, the Haags have re-issued their Notice of Deposition of the United States' designation(s) for May 8, 2006, or any other mutually agreed upon time and place so long as it occurs within the first two weeks of May.
3. The Haags request additional time to complete the discovery which has been allowed by this Court.
4. It is the Haag's best belief that the completion of the requested discovery will have a direct impact on the Haag's ability to sustain their claims against the

United States' Motion for Summary Judgment.

5. The Haags request that the Hearing be continued to a date in the future which will allow for sufficient time to obtain copies of the transcripts from the United States' designation(s) depositions, which the Haags believe will take at least 30 days from the date of the deposition.
6. Counsel for both parties suggest the following dates, based upon their heavily docketed schedules and concurrent availability:
 - a. Monday July 17th through Friday, July 21, 2006;
and,
 - b. Monday July 31st through Friday, August 4, 2006.

WHEREFORE, the Haags pray this honorable Court to grant a continuance of the Hearing set for Wednesday, March 22, 2006, to one of the above suggested dates that is mutually agreed upon by counsel for both parties.

Robert and Kathleen Haag,
By their attorney,

/s/ Timothy J. Burke
Timothy J. Burke
BBO# 543837
400 Washington Street
Braintree, MA 02184
(781) 380-0770

Dated: March 21, 2006

Assents:

United States of America,
By its attorney,

/s/ Stephen J. Turanchik
Stephen J. Turanchik
Tax Division
US Department of Justice
PO Box 55
Ben Franklin Station
Washington, DC 20044
(202) 307-6565

CERTIFICATION OF LOCAL RULE 7.1

I hereby certify that on Monday, March 20, 2006, Melissa Halbig, an associate with this office contacted Counsel for the United States, Steven J. Turanchik, wherein he assented to the filing of this Motion.

/s/ Timothy J. Burke
Timothy J. Burke

CERTIFICATE OF SERVICE

It is hereby certified that a true and accurate copy of the above Assented to Motion to Continue Hearing was served upon the attorney of record for the United States, Steven J. Turanchik, Tax Division, United States Department of Justice, PO Box 55, Ben Franklin Station, Washington, DC, 20044 on March 21, 2006 by facsimile and first class mail.

/s/ Timothy J. Burke
Timothy J. Burke